

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

M.P.B., *on behalf of himself and all
others similarly situated,*

Plaintiff,

v.

THERANOS, INC., and DOES 1
through 10, inclusive,

Defendants.

Case No. 4:16-cv-02810-YGR

[PROPOSED] ORDER
CONSOLIDATING RELATED CASES,
ORDERING FILING OF A
CONSOLIDATED AMENDED
COMPLAINT, AND SETTING INITIAL
CASE SCHEDULE

R.G., *on behalf of himself and all
others similarly situated,*

Plaintiff,

v.

THERANOS, INC., WALGREENS
BOOTS ALLIANCE, INC. and
DOES 1 through 10, inclusive,

Defendants.

Case No. 4:16-cv-02891-YGR

C.M. and S.G., *on behalf of themselves
and all others similarly situated,*

Plaintiffs,

v.

THERANOS, INC. and WALGREENS
BOOTS ALLIANCE, INC.,

Defendants.

Case No. 4:16-cv-03349-YGR

STIPULATION AND **[PROPOSED]** ORDER

Case Nos. 4:16-cv-02810-YGR, 4:16-cv-02891-YGR, 4:16-cv-03349-YGR,
4:16-cv-03418-YGR, 4:16-cv-03454-YGR, 4:16-cv-03571-YGR

BRIAN MALTESE, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

THERANOS, INC.

Defendant.

Case No. 4:16-cv-03418-YGR

BOBBIE BROWN, *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

THERANOS, INC.

Defendant.

Case No. 4:16-cv-03454-YGR

L.M., *individually and on behalf of all others similarly situated*,

Plaintiff,

v.

THERANOS, INC. and WALGREENS
BOOTS ALLIANCE, INC.,

Defendants.

Case No. 4:16-cv-3571-YGR

The Court finds that the six above-captioned cases (*M.P.B. v. Theranos, Inc.*; *R.G. v. Theranos, Inc., et al.*; *C.M., et al. v. Theranos, Inc., et al.*; *Maltese v. Theranos, Inc.*; *Brown v. Theranos, Inc.*; and *L.M. v. Theranos, Inc., et al.*) are based on similar factual allegations and legal claims, such that consolidation will save time and effort. The Court therefore **ORDERS** the above-captioned cases consolidated pursuant to Federal Rule of Civil Procedure 42.

The Court further **ORDERS**:

STIPULATION AND [PROPOSED] ORDER

Case Nos. 4:16-cv-02810-YGR, 4:16-cv-02891-YGR, 4:16-cv-03349-YGR,
4:16-cv-03418-YGR, 4:16-cv-03454-YGR, 4:16-cv-03571-YGR

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1. The lowest numbered case, Case No. 4:16-cv-02810, shall be restyled *In re Theranos, Inc. Consumer Litigation* and serve as the lead case for filing purposes. The parties shall file all documents in the docket of that case. Filed documents shall bear the following caption:

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IN RE THERANOS, INC. CONSUMER LITIGATION

Case No. 4:16-cv-02810-YGR

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1. Within forty-five (45) days of the parties' Stipulation, Plaintiffs shall file either:
 - a. a joint motion for appointment of Interim Class Counsel and a leadership structure under Fed. R. Civ. P. 23(g)(3); or
 - b. if Plaintiffs are unable to agree on Interim Class Counsel and a leadership structure, individual Rule 23(g)(3) motions, such motions not to exceed five pages, excluding exhibits.
 2. Plaintiffs shall file a Consolidated Amended Complaint within thirty days after the Court appoints Interim Class Counsel; and
 3. Theranos and Walgreens shall answer or otherwise respond to the Consolidated Amended Complaint no more than forty-five days after Plaintiffs file the Consolidated Amended Complaint, and need not answer or respond to any earlier-filed complaint in the consolidated cases.
 4. The Initial Case Management Conference, which is currently set for September 26, 2016, shall be rescheduled for December 19, 2016 at 2:00 pm.
 5. Any other actions asserting claims that are the same as or similar to the claims asserted in the above-captioned cases, subsequently filed in, or transferred to, this District shall be consolidated with this action for all purposes "w qp" ~~ur w qp~~.
 6. No portion of this Order may be used in any way in support of class certification.

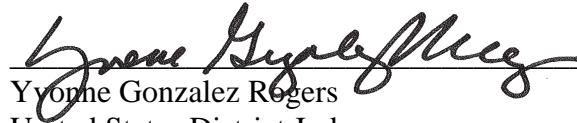
STIPULATION AND [PROPOSED] ORDER

Case Nos. 4:16-cv-02810-YGR, 4:16-cv-02891-YGR, 4:16-cv-03349-YGR,
4:16-cv-03418-YGR, 4:16-cv-03454-YGR, 4:16-cv-03571-YGR

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2 7. This Order is entered without prejudice to the rights of any party to seek transfer to
3 another judicial district or to seek dismissal of action(s) filed in this district.
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5 **IT IS SO ORDERED.**

6 Dated: August 24, 2016

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Yvonne Gonzalez Rogers
United States District Judge
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